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SENATE

REPORT
99-248

PANIVONG NORINDR AND PANISOUK NORINDR

MARCH 5 (legislative day, FEBRUARY 24), 1986.—Ordered to be printed

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Mr. THURMOND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 331]

The Committee on the Judiciary, to which was referred the bill (S. 331) for the relief of Panivong Norindr and Panisouk Norindr, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Panivong Norindr and Panisouk Norindr. The bill provides for the payment of the required visa fees and for appropriate visa number deductions.

STATEMENT OF FACTS

The beneficiaries of the bill are siblings, 24 and 23 years of age who are natives and citizens of Laos. They last entered the United States July 28, 1977, as visitors and have been attending school. Panivong completed high school in the United States and graduated from State University. Panisouk has graduated from Columbia University, New York. Both of them applied for political asylum September 14, 1977, which was denied.

They reside with their brother and sister-in-law who are their legal guardians and who support them because their parents, who live in France, are unable to support them. They have eight other siblings to care for in France. One of the beneficiaries' brother is a lawful permanent resident of the United States but he is eligible to file fifth preference petitions in their behalf. Their guardian brother is a G–4 nonimmigrant employee of an international organization.

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A letter, with attached memorandum, dated September 23, 1981, to the chairman of the Senate Committee on the Judiciary from the Immigration and Naturalization Service with reference to S. 465, a bill introduced in the 97th Congress for the relief of the same beneficiaries, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, September 23, 1981.

A22-516-462.
A22-516-463.

Hon. STROM THURMOND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 465) for the relief of Panivong Norindr and Panisouk Norindr, there is attached a memorandum of information concerning the beneficiaries.

The bill would grant the beneficiaries permanent residence in the United States as of the date of its enactment upon payment of the required visa fees. It would also direct that visa number deductions be made.

The beneficiaries, natives of Laos, are chargeable to the nonpreference portion of the numerical limitation for immigrants.

Sincerely,

DAVID DIXON,
Executive Assistant
(For the Commissioner).

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE S. 465

The beneficiaries, Panivong Norindr and Panisouk Norindr, natives and citizens of Laos, were born on August 14, 1961 and November 9, 1962 respectively. Panivong Norindr completed a high school education in the United States and is currently attending the State University of New York at Stony Brook, Panisouk Norindr is attending Columbia University. Neither has been employed. The beneficiaries, who are unmarried, have resided since 1977 in Southampton, N.Y., with, and are supported by, their brother and sister-in-law, Somsey and Beverly Norindr. Mr. and Mrs. Norindr were appointed the beneficiaries' legal guardians on July 17, 1978, by the Surrogate's Court, Suffolk County, due to the inability of their parents to support them. The parents presently reside in France where they are applying for political asylum. The beneficiaries have a brother who resides in Washington and was granted refugee status, and eight siblings residing in France.

The interested party, Somsey Norindr, a native and citizen of Laos, born on October 2, 1947, last entered the United States in May of 1979 at New York City as a nonimmigrant employee of an international organization. He

has been employed by the United Nations Development Program since November 1973 as an area officer and is earning a yearly salary of $35,000. He is currently a Ph.D. candidate at the Fletcher School of Law and Diplomacy, Tufts University, Medford, Mass. The interested party, Beverly Norindr, a native and citizen of the United States, was born on October 26, 1950. She was married to Somsey Norindr on December 8, 1973, in Washington, D.C., and filed an immediate relative petition on behalf of her husband Somsey. This petition was subsequently withdrawn when the United Nations denied her husband's authorization to apply for a change in his residence status. Mrs. Norindr completed a college education. She is employed as a secretary and is earning a yearly salary of approximately $18,000. Mr. and Mrs. Norindr's assets consist of a house in Southampton valued at approximately $80,000, as well as a car, jewelry and an art collection, valued at approximately $36,000. One child, a U.S. citizen, has been born of this marriage.

The beneficiaries last entered the United States on July 28, 1977, at New York City as visitors. On September 14, 1977, the beneficiaries applied for political asylum. Their applications were denied and they were required to depart from the United States on or before May 27, 1978. Deportation proceedings have not been instituted.

Senator Charles McC. Mathias, Jr., has submitted the following information in support of this bill:

U.S. SENATE,
Washington, DC, February 7, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to request the Subcommittee on Immigration and Refugee Policy to ask for a departmental report from the Immigration and Naturalization Service on S. 295, a bill for the relief of Panivong and Panisouk Norindr.

Panivong, age 21, and his 20-year-old brother, Panisouk, entered the United States from Paris, France, on July 28, 1977, as visitors for pleasure. Immediately upon arrival, they joined their oldest brother, Somsey Norindr, who currently resides in Peekskill, N.Y. He is employed by the United Nations and is their legal guardian.

The Norindr brothers' father, who was the Laotian Ambassador to the United States from 1972 to 1974, fled to Paris with his wife when the Communist Party took over in Laos. Neither can return to Laos because of their relationship with the current Laotian Government. Additionally, the Norindrs have encountered severe financial straits since arriving in Paris because everything they owned was lost through disaster with Swiss banks. As a result, they sent their two youngest sons to their brother in New York.

Panivong is in his senior year at SUNY at Stony Brook, in Stony Brook, N.Y. His brother, Panisouk is a junior at Columbia University in New York. Both are considered excellent students.

At present, there is no administrative remedy available for either brother. Somsey Norindr, with whom they reside, is married to a U.S. citizen, but must maintain a G–4 status because of the ruling that the United Nations does not allow nationals of member status of the United Nations to change their residency status.

The Norindr brothers have another brother, Somphong, who was granted refugee status in the United States in 1975. Mr. Norindr, who resides in Washington, D.C., is a lawful permanent resident alien awaiting naturalization. Even after becoming naturalized and petitioning for Panivong and Panisouk, they will experience a considerable wait as beneficiaries of approved fifth preference visa petitions since immigrant visas are oversubscribed in this class.

Panivong and Panisouk Norindr have great affection for the United States, as well as permanent family ties. Both brothers would suffer a severe hardship in their lives if they were to be deported. Therefore, any consideration the subcommittee might give S. 295 would be deeply appreciated.

With best wishes,

Sincerely,

CHARLES McC. MATHIAS, Jr.,
U.S. Senator.

COST

No cost would result from enactment of this bill.

REGULATORY IMPACT STATEMENT

In compliance with paragraph 11(b)(1), rule XXVI of the Standing Rules of the Senate, it is hereby stated that the committee anticipates that the bill will have no additional direct regulatory impact, inasmuch as it affects just two individuals.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 331) should be enacted.

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